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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Wenocur, et al.

Serial No. 09/912,905
Filed: July 25, 2001

**SYSTEM, METHOD AND STRUCTURE FOR
GENERATING AND USING A COMPRESSED
DIGITAL CERTIFICATE**

**COPY OF PAPERS
ORIGINALLY FILED**

Atty. Docket No. A-70555/RMA

San Francisco, California

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231 on November 9, 2001

Signed Kathleen M. Smith
Kathleen M. Smith

PETITION and EVIDENCE OF DEPOSIT

Repln. Ref: 04/29/2002 AKE (Response to Notice of Omitted Items in A Non-Provisional Application)
DAH:061300 Name/Number:09912905
FC: 704 \$130.00 CR

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Adjustment date: 04/29/2002 KRELLET
01/28/2002 MAHMED1 00000004 09912905
01 FC:122 -130.00 OP

Sir:

Applicants submit this **Petition and Evidence of Deposited Items** in Response to the *Notice of Omitted Items in a Non-Provisional Application* mailed October 9, 2001, a copy of which is enclosed. The Notice indicates that pages 39-41 of the specification appear to have been omitted.

Applicants contend that pages 39-41 were in fact deposited in the U.S. Patent & Trademark Office with the non-provisional application papers on July 25, 2001 for the following reasons:

1. Applicant received a stamped return postcard confirming that the Patent Office received, among other items, all 222 pages of the specification and claims (the specification alone consists of 217 pages, and the claims consist of 5 pages, for a total of 222 pages).
2. Applicant filed eight other related applications on the same date, each of which contained an identical 217-page specification. Each application had a different number of claims pages, all beginning with page 218.

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3. Applicant's file copy of the above captioned application includes pages 39-41.
4. In all of the eight related applications – but not in the present application – Applicants received Notices to File Corrected Application Papers dated between September 5, 2001 and September 18, 2001 requiring only compliance with drawing margin requirements, suggesting that there were no other deficiencies or missing pages in those eight related applications.
5. To date, in none of the eight related applications have Applicants received a Notice of Omitted Items, even though all of the eight related applications shared the same 217-page specification with the present application.
6. Even in the event that pages 39-41 were not submitted, the application includes incorporated by reference to the copending application filed which does include pages 39-41 so that the subject matter contained in pages 39-41 is in fact present in the application as filed.

In support of this Petition, Applicants submit the following:

- (1) Copy of stamped receipt postcard acknowledging Patent Office receipt of 222-page application on July 25, 2001;
- (2) Copies of pages 39-41 of the specification missing from the Patent Office file wrapper; Copies of pages 39-41 of copending application Serial No. 09/912,715 filed July 25, 2001 (Atty Docket No. A-70553/RMA) incorporated by reference in the present application.
- (3) Refundable Petition fee of \$130.00;
- (4) Substitute set of 10 drawing sheets, Figs. 1-11 to fulfill margin requirements, in the event a Notice to File Corrected Application Papers may be required in the present application.

The Assistant Commissioner is authorized to credit any overpayment or charge any deficiencies in the enclosed fees to Deposit Account 06-1300 (Order No. A-70555/RMA).

Applicant requests refund of the petition fee of \$130.00. The refund may be credited to Deposit Account 06-1300 (Order No. A-70555/RMA).

Respectfully submitted,
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP

By 
R. Michael Ananian, Reg. No. 35,050

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PATENT OFFICE ACKNOWLEDGEMENT
OF FILING PATENT APPLICATION

File No. A-70555/RMA
Applicant(s): Baldwin et al. (STORYMAIL)
Title: System, Method & Structure For Generating And
Using A Compressed Digital Certificate
No. Pages Spec.: 222 + 3-page Appendix
No. Claims: 24
No. Sheets Dwgs.: 10 formal PATENT APP. TRANSMITTAL
Oath Declaration X POA X
Amount Filing Fee \$ 471.00 ~~je997~~ U.S. PTO
Check No. 09/912905
Assignment: X



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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/912,905	07/25/2001	Michael L. Wenocur	A-70555/RMA

CONFIRMATION NO. 5467

FORMALITIES LETTER

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
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OC000000006870337

File A-70555 Atty RMA
Due Date 12/9/2001
Type Missing Part Refs —

Date Mailed: 10/09/2001

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

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- Page(s) 39-41 of the specification (description and claims).

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I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.